



STATE OF NEVADA

Department of Conservation & Natural Resources

Brian Sandoval, Governor

Leo M. Drozdoff, P.E., Director

DIVISION OF ENVIRONMENTAL PROTECTION

Colleen Cripps, Ph.D., Administrator

NOTICE OF PROPOSED ACTION - Bureau of Mining Regulation and Reclamation

Web Posting: 9/8/2013

Deadline for Comment: 10/8/2013

The Administrator of the Division of Environmental Protection (the Division) gives notice that an application for a major modification of a Water Pollution Control Permit for the **Lucerne Project**, a mining and beneficiation facility, has been properly filed with the Division of Environmental Protection in Carson City. The Applicant for modification of Water Pollution Control Permit **NEV2000109** (Permit) is:

Comstock Mining LLC
P.O. Box 1118
Virginia City, NV 89440

The facility is located on public and private land in Storey County, within Sections 5, 6, 7, and 8, Township 16 N, Range 21 E, Mount Diablo Baseline and Meridian, approximately 2 miles west of the town of Gold Hill.

The project consists of open pit mining with heap and vat leach beneficiation, designed to extract gold, with a maximum permitted production rate of 4,380,000 tons of ore per year. The facility is comprised of mine, mill, heap leach pad, Merrill-Crowe facility, process and event ponds, production and monitoring wells, and ancillary structures. Facilities are required to be designed, constructed, operated, and closed without any discharge or release in excess of those standards established in regulation except for meteorological events which exceed the design storm event.

The Administrator is constrained to either issue the modified Permit or to deny the application. The Administrator has made the tentative decision to issue the modified Permit. The Permittee has elected not to renew the Permit as part of the major modification.

Persons wishing to comment upon the proposed Permit modification, to recommend terms and conditions for consideration of incorporation into the Permit related to the proposed modification, or who request a public hearing pursuant to NAC 445A, must submit their written comments, objections, or requests by hand delivery or US Postal Service, or by facsimile or e-mail transmittal no later than 5:00 PM on the 30th day following the date of publication of this notice (submittal end date 8 October 2013) to:

Division of Environmental Protection
Bureau of Mining Regulation and Reclamation
901 South Stewart Street, Suite 4001
Carson City, NV 89701-5249

All comments, objections, or requests received during the public notice period will be considered in the final determination regarding the Permit. If the Division determines written comments or requests indicate a significant degree of public interest in this matter, the Administrator shall schedule a public hearing in accordance with the requirements of NAC 445A.405.

The draft Permit and all application documents are on file at the Division and are available for public inspection and copying pursuant to Nevada Revised Statute 445A.665. For more information, contact Paul Eckert at (775) 687-9401 or visit the Bureau of Mining Regulation and Reclamation website at <http://ndep.nv.gov/bmrr/bmrr01.htm>.